

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DOLORES NANCE, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 4:08CV1798 CDP
)	
GUIDANT CORPORATION, et al.,)	
)	
Defendants.)	

ORDER

As discussed by telephonic hearing held on September 9, 2010,

IT IS HEREBY ORDERED that parties submit a Joint Scheduling Plan no later than **September 24, 2010** setting forth a schedule for all actions remaining in the case, including:

- (a) dates for joinder of additional parties or amendment of pleadings;
- (b) a discovery plan including:
 - (i) any agreed-upon provisions for disclosure or discovery of electronically stored information,
 - (ii) any agreements the parties reach for asserting claims of privilege or of protection as trial-preparation material after production,
 - (iii) a date or dates by which the parties will disclose information and exchange documents pursuant to Fed.R.Civ.P. 26(a)(1),

(iv) whether discovery should be conducted in phases or limited to certain issues,

(v) dates by which each party shall disclose its expert witnesses' identities and reports, and dates by which each party shall make its expert witnesses available for deposition, giving consideration to whether serial or simultaneous disclosure is appropriate in the case,

(vi) whether the presumptive limits of ten (10) depositions per side as set forth in Fed.R.Civ.P. 30(a)(2)(A), and twenty-five (25) interrogatories per party as set forth in Fed.R.Civ.P. 33(a), should apply in this case, and if not, the reasons for the variance from the rules,

(vii) whether any physical or mental examinations of parties will be requested pursuant to Fed.R.Civ.P. 35, and if so, by what date that request will be made and the date the examination will be completed,

(viii) a date by which all discovery will be completed;

(ix) any other matters pertinent to the completion of discovery in this case,


(c) the parties' positions concerning the referral of the action to mediation or early neutral evaluation, and when such a referral would be most productive;

(d) dates for filing any motions to dismiss or motions for summary judgment;

(e) the earliest date by which this case should reasonably be expected to be ready for trial;

(f) an estimate of the length of time expected to try the case to verdict; and

(g) any other matters counsel deem appropriate for inclusion in the Joint Scheduling Plan.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 10th day of September, 2010.